

FILED

MAY 24 2011

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

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Debtor and Debtor-in-Possession

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA - SACRAMENTO DIVISION

In re:

KARIN M. FRANK

Debtor

Case No.: 10-36150

DC No.

Chapter 11

**DECLARATION REGARDING
THE REQUEST FOR JUDICIAL
FORECLOSURE**

Date: June 6, 2011

Time: 10:00 a.m.

Department A-Courtroom 28

Honorable Judge McManus

DECLARATION REGARDING
MOTION FOR RELIEF FROM AUTOMATIC STAY
TO THE HONORABLE MICHAEL McMANUS, EASTERN DISTRICT OF
CALIFORNIA BANKRUPTCY JUDGE:

I, KARIN FRANK, declare under penalty of perjury, that I am filing this declaration in
opposition to the Motion for Relief from Automatic Stay regarding the property known as 110 No
Yolo St., Willows, CA A.P.N.: 003-103-013-0 in Glenn County.

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1 1. On May 8, 2007, the Frank Nelson Family Trust, Karin Frank, Trustee, executed a
2 Promissory Note in favor of Dimitrios Zaharduidakis in the amount of \$336,000 for the purchase
3 of the property known as 110 North Yolo St. As shown on the deed of trust (EXHIBIT A) the
4 attorney has erroneously named me as the debtor, the trust deed unequivocally shows I was only
5 the trustee for this property.
6

7 2. As shown in (EXHIBIT B) Movant was or is already on title.

8 3. All funds were dispersed as directed by the trustor. As trustee I did not spend these funds
9 on any of my personal expenses. Hence I was not enriched by this transaction.

10 4. The subject property is not and was never vested in my name, it has never belonged to me
11 and does not belong in this bankruptcy proceeding.
12

13 5. The subject note and deed of trust are not and were never vested in my name, their
14 obligations have never belonged to me, and thus they do not belong in this bankruptcy
15 proceeding.

16 I declare under penalty of perjury that the foregoing is true and correct.

17 Dated this 23rd day of May 2011.

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